(3)

5 COURT FEE 5 RS भारत INDIA पाँच रुपये FIVE RUPEES

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CANCELLED CANCELLED CANCELLED

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

CIVIL REVISION NO. 69 OF 2004

Single Bench

Petitioners : Janik, aged 56 Yrs, S/o Bhurbwa Yadav,
Bhoomiswami of village Kota, Tahsil Kota,
District Bilaspur (C.G.)

Versus

Non applicants. 1. State of Chhattisgarh, through Collector, Bilaspur,
2. Jhumuk, aged 68 Yrs, S/o Bhuruwa Yadav
R/o Kota, Tahsil Kota,
District Bilaspur (C.G.)
3. Jagdish Prasad Sahoo, aged 42 Yrs, S/O Bahadur Sahu,
R/o Kota, Tahsil Kota,
District Bilaspur (C.G.)

P. R. No. 20/1/04
Presented by Shri Dheerendra Pandey
dated 23.02.04

Revision against order Dt. 8/5/2003 passed by Additional District Judge, Bilaspur in M.J.C. No. 16/ 2003

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A.G. Bilaspur

CIVIL REVISION under S. 115 CP.C

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(33)

आदेश पत्रक

मामला क्रमांक C.R.69/04 सन् ~~200~~

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

18.03.2005: -

Even in the second call, none appears for the applicant.

The case is listed on default of late payment of process fee for respondent No.1 as per office note dated 09.12.2004.

The instant revision is directed against the impugned order dated 08.05.2003 passed by Addl. District Judge, Bilaspur in M.J.C.No.16/2003 and by which the application of the applicant under Order 47 Rule 1 of the C.P.C. for review or recall of the order of 30th August 2002 passed by the trial Court, has been rejected.

In view of the amended proviso to Section 115 of the C.P.C. and in view of the judgment reported in ***(2003) 6 SCC, 659*** in the matter of ***Shiv Shakti Coop. Housing Society, Nagpur Vs. Swarai Developers and others***, the instant civil revision is not maintainable.

Accordingly, the revision is dismissed as not maintainable with liberty to revive.

Sd/-
Dhirendra Mishra
Judge

(पीछे देखिये)